

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JUNE 12, 2001
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Murphy at 10:13 a.m. with Deputy Mayor Stevens not present and District 6 vacant. Mayor Murphy recessed the meeting at 11:29 a.m. to convene the Housing Authority, the Redevelopment Agency thereafter, and to reconvene the regular meeting at 2:00 p.m..

Mayor Murphy reconvened the Redevelopment Agency at 2:07 p.m. and thereafter reconvened the regular meeting at 3:35 p.m. with all members present. The meeting was recessed by Mayor Murphy at 3:37 p.m. for a 10-minutes recess. Mayor Murphy reconvened the meeting at 3:50 p.m. with all members present. The meeting was recessed by Mayor Murphy at 3:53 p.m. to meet into Closed Session to be held immediately in the twelfth floor conference room to discuss anticipated litigation, and thereafter to meet as the Budget Review Committee. Mayor Murphy reconvened the regular meeting at 5:40 p.m. with all members present. Mayor Murphy adjourned the meeting at 5:45 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present

(7) Council Member Madaffer-present

(8) Council Member Inzunza-present

Clerk-Abdelnour/Fishkin (ek/rl)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Murphy-present
(1) Council Member Peters-present
(2) Council Member Wear-present
(3) Council Member Atkins-present
(4) Council Member Stevens-present
(5) Council Member Maienschein-present
(6) Council District 6 - vacant
(7) Council Member Madaffer-present
(8) Council Member Inzunza-present

* ITEM-50: Third Update to the Land Development Code.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 5/29/2001. (Council voted 6-0. Councilmembers Stevens and Madaffer not present. District 6 vacant.):

Subitem-A: (O-2001-123 Cor. Copy) ADOPTED AS ORDINANCE O-18948
(NEW SERIES)

Amending Chapter 12 of the San Diego Municipal Code by amending Article 6, Division 3, Section 126.0303; by amending Article 7, Division 1, Sections 127.0103 and 127.0107; Division 2, Section 127.0202; by amending Article 8, Division 3, Section 128.0314; by amending Article 9, Division 1, Section

129.0119; Chapter 13, by amending Article 1, Division 1, Section 131.0112; Division 2, Sections 131.0222 and 131.0250; Division 3, Section 131.0322; Division 4, Sections 131.0422, 131.0443, and 131.0461; Division 5, Sections 131.0522 and 131.0531; Division 6, Section 131.0622; Chapter 14, by amending Article 1, Division 4, Section 141.0406; Division 10, Section 141.1004; Division 11, Section 141.1104; by amending Article 2, Division 5, Section 142.0530; Division 7, Section 142.0725; Division 12, Section 142.1206; and by amending Article 3, Division 8, Section 143.0840, all pertaining to the Land Development Code.

Subitem-B: (O-2001-125 Cor. Copy) ADOPTED AS O-18949 (NEW SERIES)

Amending Chapter 14 of the San Diego Municipal Code by amending Article 5, Division 4, Sections 145.0401, 145.0403, 145.0404, 145.0405, 145.0406, 145.0407, 145.0408, 145.0410, 145.0411, and 145.0415, all pertaining to the Building Regulations of the Land Development Code.

Subitem-C: (O-2001-124) ADOPTED AS ORDINANCE O-18950 (NEW SERIES)

Amending Chapter 12 of the San Diego Municipal Code by amending Article 6, Division 7, Section 126.0704, pertaining to Coastal Development Permits of the Land Development Code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-234.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Inzunza. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea

* ITEM-51: Remove 8 Parking Meters Located on the North Side of "F" Street between 14th Street and 15th Street.

(Centre City Community Area. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/29/2001. (Council voted 7-0. Councilmember Madaffer not present. District 6 vacant.):

(O-2001-137) ADOPTED AS ORDINANCE O-18951 (NEW SERIES)

Approving the removal of eight 2-hour parking meters from the north side of F Street between 14th Street and 15th Street pursuant to San Diego Municipal Code Section 86.04;

Authorizing the removal of the necessary signs and markings.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-234.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Inzunza. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea

* ITEM-52: Torrey Pines Elementary School - Joint Use Improvements.

(La Jolla Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/29/2001. (Council voted 7-0. Councilmember Madaffer not present. District 6 vacant.):

(O-2001-146) ADOPTED AS ORDINANCE O-18954 (NEW SERIES)

Authorizing the City Manager to execute an agreement with the San Diego Unified School District for the construction, operation, maintenance and lease of turfed fields and recreation facilities at Torrey Pines Elementary School site.

Note: **Six** votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS

COUNCIL ACTION: (Tape location: B223-234.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Inzunza. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea

* ITEM-53: Office Space Lease Amendment - Civic Center Plaza Building.

(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/29/2001. (Council voted 7-0. Councilmember Madaffer not present. District 6 vacant.):

(O-2001-142) ADOPTED AS ORDINANCE O-18952 (NEW SERIES)

Authorizing the City Manager to execute a Ninth Amendment to Lease with Civic Center Associates for additional office space of approximately 2,325 square-feet on the 13th floor of the Civic Center Plaza building for the Labor Relations Department, commencing March 1, 2001, and terminating July 23, 2014, at an initial monthly rent of \$3,138.75;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$12,555 from the Labor Relations Fund 100, Department 080 for rent from the FY2001 budget.

Aud. Cert. 2101100.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS

COUNCIL ACTION: (Tape location: B223-234.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Inzunza. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Catherine Strohlein welcoming Council Member Frye to Al's Private Forum and that Council Member Frye should now get to work.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A246-285.)

PUBLIC COMMENT-2:

Comment by Al Strohlein that he finds some comfort in odd numbers and is vexed by tie votes, and that Council Member Frye has earned our trust.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A286-330.)

PUBLIC COMMENT-3:

Comment by Dorkas Toroski on the deterioration of Mission Bay and that Council Member Frye will make a difference.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A331-370.)

PUBLIC COMMENT-4:

Comment by Carolyn Chase on better investment in slurry sealing of streets.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A371-390.)

PUBLIC COMMENT-5: REFERRED TO THE CITY MANAGER

Comment by Brina-Rae Schuchman's that the sidewalks along "C" Street outside City Hall should be better cleaned and that the Concourse Plaza should be steam-cleaned.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A391-430.)

PUBLIC COMMENT-6:

Comment by Ron Muhammad congratulating Council Member Frye, and that more Blacks are needed in the diversity of various jobs.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A431-452.)

PUBLIC COMMENT-7:

Comment by Jarvis Ross that Council Member Frye is a welcome change to the City Council, and is concerned about the open space along the coast and other areas that needs to be preserved.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A453-525.)

PUBLIC COMMENT-8:

Comment by Joan Adaskin on the Torrey Pines Women's Golf Club.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A526-559.)

PUBLIC COMMENT-9:

Comment by Leo Long that he would like to see more support of a plan for handicapped children.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A560-629.)

PUBLIC COMMENT-10: REFERRED TO THE CITY MANAGER

Comment by Dave Wilhite on the LibertyStation.com name.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A630-B027.)

CITY ATTORNEY COMMENT:

City Attorney Gwinn commented, pursuant to the Brown Act, that in Executive Session today by a vote of 7 to 0 with District 4 absent and District 6 still vacant, the City Council voted to pursue an appeal in the case of City v. Rancho Penasquitos Partnership in Superior Court Case No. 735816-1.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B028-037.)

CITY MANAGER COMMENT:

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B038-054.)

The City Manager commented that he would follow up on the issue of LibertyStation and the naming of Liberty Station at NTC in terms of what their contractual rights are in MacMillan versus the City.

ITEM-100: Agreement with the Century Club of San Diego for Improvements at Torrey Pines Golf Course.

(See City Manager Report CMR-01-117. Torrey Pines Community Area.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1644) ADOPTED AS RESOLUTION R-294994

Approving and authorizing the City Manager or designee to execute an agreement with the Century Club of San Diego for the design and construction of

improvements for the South Course of the Torrey Pines Golf Course and one practice green;

Stating for the record that the activity contemplated by the agreement entails only the repair, maintenance, and minor alteration of topographical features of the Torrey Pines Golf Course that will result in no expansion of its use and is categorically exempt from the California Environmental Quality Act pursuant to Section 15301 of its Guidelines;

Authorizing the City Manager or designee to adopt a schedule for discounting green fees as needed to accommodate construction of improvements on the South Course of Torrey Pines Golf Course.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B235-429.)

MOTION BY PETERS TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-330: Headquarters Point Research Park.

(Continued from the meeting of December 12, 2000, Item 331, at the request of the City Manager, for further review and to readvertise; continued from the meeting of March 20, 2001, Item 330, at the request of the City Manager, for further review.)

Matter of approving, conditionally approving, modifying or denying an Open Space Easement Vacation (OS)/Rezone (RZ)/Vesting Tentative Map (VTM)/Planned Industrial Development (PID)/Coastal Development Permit (CDP) to vacate an open space easement, rezone a 10.3 acre site from RS-1-1 (R1-40000) to IL-2-1 (M1-B) zone and to subdivide the site into two lots and develop a planned industrial development located immediately east of Interstate 805 (I-805) on Headquarters Point between Wateridge Circle and Lusk Boulevard in the Mira Mesa Community Plan area.

(99-0036 OS Vacation/RZ/VTM/PID/CDP. Mira Mesa Community Plan area. District-5.)

NOTE: Hearing open. No testimony taken on 12/12/2000.
Hearing open. No testimony taken on 3/20/2001.

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in subitems B and E; adopt the resolution in subitem C to grant the map; adopt the resolution in subitem D to grant the permit; and introduce the ordinance in subitem A:

Subitem-A: (O-2001-103) CONTINUED TO TUESDAY, JUNE 19, 2001

Introduction of an Ordinance changing 10.3 acres, located between Wateridge Circle and Lusk Boulevard, in the Mira Mesa Community Plan area, from the RS-1-1 (R1-40000) zone to the IL-2-1 (M1-B) zone, as defined by San Diego Municipal Code Section 131.0603 (101.0435.2); and repealing Ordinance No. O-8485 (New Series), adopted June 22, 1961.

Subitem-B: (R-2001-925 Cor. Copy) CONTINUED TO TUESDAY, JUNE 19, 2001

Adoption of a Resolution certifying that the information contained in Environmental Impact Report LDR No. 99-0036 Supplement to EIR No. 96-0265, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State Guidelines thereto (California Code of Regulations section 15000 et seq.), and that said EIR reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for this project;

that pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council adopts the Findings made with respect to the project;

that pursuant to California Code of Regulations section 15093, the City Council adopts the Statement of Overriding Considerations;

and that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment.

Subitem-C: (R-2001-) CONTINUED TO TUESDAY, JUNE 19, 2001

Adoption of a Resolution granting or denying Vesting Tentative Map No. 99-0036, with appropriate findings to support Council action.

Subitem-D: (R-2001-) CONTINUED TO TUESDAY, JUNE 19, 2001

Adoption of a Resolution granting or denying Planned Industrial Development/Coastal Development Permit No. 99-0036, with appropriate findings to support Council action.

Subitem-E: (R-2001-1195) CONTINUED TO TUESDAY, JUNE 19, 2001

Adoption of a Resolution vacating the open space easement located between Wateridge Circle and Lusk Boulevard in the M1-B (IL-2-1) zone of the Mira Mesa Community Plan, a portion of Lot 10 of Corporate Research Park II, Map No. 13605, filed July 27, 1998 (APN 340-090-55), in connection with the Headquarters Point Research Park development.

OTHER RECOMMENDATIONS:

The Planning Commission on December 7, 2001, voted 7 - 0 to recommend to the City Council that they deny this project based on the fact that the fundamental issue of the Open Space Vacation needs to be resolved before the project can be evaluated and the decision should be reviewed by the Planning Commission and City Council concurrently; and the additional information requested of staff was not provided to the Commission prior to the hearing.

Ayes: Steele, Anderson, Brown, Butler, Skorepa, Stryker, Garcia

The Mira Mesa Community Planning Group on October 18, 1999, voted 11-0-1, with conditions, to recommend approval of the project.

CITY MANAGER SUPPORTING INFORMATION:

BACKGROUND

The Headquarters Point Project has its origins in a settlement agreement between the City and the San Dieguito Partnership (SDP) which resolved three complicated land use lawsuits. For approximately fifty years, SDP owned almost all of the property located in an area now identified as Subarea II of the North City Future Urbanizing Area. Over the years, SDP made numerous unsuccessful attempts to acquire entitlements to allow development of their property. SDP's development efforts culminated in 1996 when they submitted three applications to develop roughly 150 acres of their holdings in the region. Although two of the three applications were approved by the City Council and the third was denied, two ballot measures which proposed to phase shift the SDP property were defeated by the voters, thus leaving SDP with limited development rights. SDP filed suit against the City, alleging the City had inversely condemned their property. SDP sought over \$50 million in damages. After extensive settlement discussions, on November 16, 1998, the City Council approved a settlement agreement resolving all of SDP's lawsuits. The primary aim of the City in the settlement agreement was to preserve as open space the vast majority of the SDP property located in Subarea II. To achieve this end, Southern California Edison agreed to buy about 50 acres of the SDP property. In addition, the City purchased a 47-acre parcel, commonly referred to as the "Ranch." In the settlement agreement, the City also agreed to consider a small residential development of SDP's 27-acre property known as the "Villas."

As consideration for the SDP's Ranch property, and SDP's agreement to forgive almost \$1.5 million in debt owed by the City to SDP from a prior transaction, the City agreed to transfer to SDP a parcel in University City, referred to now as the Nobel Research Park. In November 1998, the electorate approved Proposition N which ratified the proposed exchange of properties. The City also agreed to transfer fee simple title to roughly ten acres of property in Sorrento Mesa, now referred to as the Headquarters Point Research Park. The settlement agreement approved by the City Council contemplated SDP would apply to develop the property in a manner consistent with the pending application.

When the settlement agreement was being implemented in 1999, the parties discovered the presence of an unrecorded lease between the City and the Santa Fe Pacific Pipelines, LP, which allows an underground pipeline on a portion of the Headquarters Point Parcel. To expedite dismissal of SDP's lawsuits and to prevent any claim that the City failed to provide notice of the underground lease, on December 7, 1999, the City Council approved an amendment to the settlement agreement. As part of the amendment, SDP transferred the Headquarters Point parcel to the City and the City transferred to SDP a two-acre parcel at the Nobel Research Park which SDP was holding in trust for the City. SDP also agreed to continue to process at its expense the

development application for the Headquarters Point Research Park. As part of the settlement discussions, Council directed staff to process a development application to allow Council to consider a proposal which would increase the value of the property to partially offset the financial commitments of the SDP settlement agreement. The 10.3 acre site is located west of Wateridge Circle, east of Lusk Boulevard in the R1-40000 zone (IL-2-1 proposed (M1-B)) within Hillside Review Overlay Zone and the Coastal Development Overlay Zone in the Mira Mesa Community Plan. The surrounding land uses near the Headquarters Point Research Park property are the industrial Corporate Research Park to the southeast; Vista Sorrento Parkway to the southwest; Lusk Boulevard to the northwest; and commercial/industrial development to the northeast. The Mira Mesa Community Plan designates an industrial park for this location. The site was designated for industrial development as part of the larger project, the Corporate Research Park. With the approval of the Corporate Research Park, this area was identified from industrial uses to open space as biological mitigation for direct impacts resulting from the Corporate Research Park.

DISCUSSION

Approval of the Headquarters Point Research Park would allow the subdivision and development of 10.3 acres with a public road and two lots for future industrial uses; landscaping; off-street surface parking; improvements in the public right-of-way; and a MHPA boundary adjustment. All of the property in the Headquarters Point Research Park is owned by the City of San Diego. The majority of this site is not within the Multiple Habitat Preservation Area. When the MHPA boundaries were established in this area, this property was excluded due to its low value as habitat and because the site is not physically connected to other habitat which would contribute to a wildlife corridor. The MHPA boundary adjustment will result in a greater area being included into the MHPA preserve. The adjustment increases the MHPA by including areas currently not within the MHPA and is offset by decreasing areas which are included in the MHPA. The total of the MHPA land area is increased as a result of this adjustment. City staff has reviewed and is in support of the proposed adjustment. The Federal and State of California agencies reviewed the EIR and did not provide any written comments addressing the proposed project. Development of the individual lots would be facilitated by the proposed Headquarters Point Research Park Planned Industrial Development Design Guidelines and conditions of approval found in Attachments 6 and 7. Approval of site specific building plans, landscaping and site development would be controlled by these guidelines and would be used during the review of specific building proposals. Subject to the regulations in effect prior to the Land Development Code, January 2000, the Headquarters Point Research Park project is located within the Hillside Review Overlay Zone. The regulations of the Hillside Review Overlay Zone (HR), Section 101.0454D, Development Regulations require an HR permit before any development is allowed, with three exclusions. An HR permit is not required if a Planned Development Permit is obtained in accordance with the procedure set forth in Chapter X,

Article 1, Division 9. The proposed project includes a Planned Industrial Development (PID) Permit and is consistent with the development regulations of the PID ordinance. The development regulations of the PID, Section 101.0920D Design Criteria, address the goals of the Hillside Review regulations in item number 2, "The plan shall provide for adequate permanent open space areas, circulation, off-street parking, and pertinent pedestrian amenities. Building structures and facilities and accessory uses within the parcel shall be well integrated, and oriented and related to the topographic and natural features of the site." Therefore, the proposed project does not require a Hillside Review Permit, yet is consistent with the purpose and intent of those regulations.

The 10.3 acres of Headquarters Point Research Park was created by a grant deed from the Corporate Research Park, Lot 10, Map No. 13604 which totaled 46.9 acres. Of the original 46.9 acre property, the remaining 36.6 acres would be preserved in open space and retain the current R1-40000 zoning. The proposed project is located in the least sensitive portion of the site, is sited in the most level areas available, preserves the greatest amount of the open space possible, and protects the steepest slopes and most sensitive vegetation located on the site. The proposed development would be located adjacent to existing industrial developments on Lusk Boulevard and Wateridge Circle. These features, and the site specific design, architecture, and other details of the submitted Planned Industrial Development Design Guidelines meet the design criteria of the Planned Development regulations and are therefore consistent with the requirements of the

HR zone. The Mira Mesa Community Planning Group, voted 11:0:1 on October 18, 1999, to recommend approval with the following additional conditions:

1. All buildings shall be limited to a maximum of three stories in height;
2. Prior to the issuance of any building permit, a development plan package as defined on page 15 and 16 of the PID Text, shall be submitted to the Mira Mesa Community Planning Group for their review and approval, and;
3. Offsite acquisition required as mitigation for project impacts to the MHPA should be focused on sites north of State Route 52.

City Staff recommends certification of the Environmental Impact Report LDR No. 99-0036; adoption of the Mitigation Monitoring and Reporting Program with all mitigation necessary to reduce, to a level of insignificance, all significant impacts of the project as identified in the EIR; adoption of the Findings and Statement of Overriding Considerations; adoption of the rezone; approval of the Vesting Tentative Map; and approval of the Planned Industrial Development/Coastal Development Permit 99-0036 with the conditions recommended by the Mira Mesa Community Planning Group and those contained in the draft Tentative Map resolution and draft permit.

Headquarters Point Research Park - Open Space Easement Vacation proposes an open space easement vacation on City-owned property to allow development of an industrial project in the Mira Mesa Community Plan area. At Council direction on December 12, 2000, Headquarters Point Research Park was continued to March 13, 2001 to allow the open space easement vacation to be brought forward for consideration and to consolidate all necessary actions to make a decision on the entire project. The open space easement was discovered during the final review of the project after title to the property transferred from the owner to the City. The easement is referenced only on the grant deed and not on the recorded subdivision map or title report. The vacation of the open space easement will not affect local or regional transportation facilities. City staff supports the necessary findings reflected in the vacation resolution and recommends certification of the Environmental Impact Report LDR No. 99-0036; adoption of the Mitigation Monitoring and Reporting Program with all mitigation necessary to reduce, to a level of insignificance, all significant impacts of the project as identified in the EIR; and approval of the Open Space Easement Vacation.

FISCAL IMPACT:

None.

No cost to the City. All costs are recovered by a deposit account funded by the applicant.

Loveland/Christiansen/Griffith/JSF

ENVIRONMENTAL IMPACT:

Supplemental Environmental Impact Report (EIR) LDR No. 99-0036 has been prepared for the project in accordance with State CEQA Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified by the environmental review process.

LEGAL DESCRIPTION:

The project site is located within the Mira Mesa community on the east side of Interstate 805 between Vista Sorrento Parkway to the west, Mira Mesa Boulevard to the south and Lusk Boulevard to the north and is more particularly described as a portion of Lot 10 of Map 13604.

FILE LOCATION: Subitem A: NONE; Subitems B, C, D, E: PERM-99-0036 (65)

COUNCIL ACTION: (Tape location: B055-059.)

MOTION BY ATKINS TO CONTINUE TO TUESDAY, JUNE 19, 2001, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea

ITEM-S500: Three actions related to Owner Participation Agreement with St. Vincent De Paul Management, Inc. - Emporium Apartments.

(See CCDC Report dated 5/10/2001. Centre City Redevelopment Project Community Area. District-8.)

(Continued from the meeting of June 5, 2001, Item S500, at the request of Councilmember Inzunza, for further review.)

NOTE: Hearing open. No testimony taken on 6/5/2001. Councilmember Stevens not present. District 6 vacant.

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-1634) ADOPTED AS RESOLUTION R-294998

Certifying that the City Council has reviewed and considered information contained in the Master Environmental Impact Report for the Centre City Redevelopment Project, and the Secondary Study with respect to the proposed Owner Participation Agreement between the Redevelopment Agency and St. Vincent De Paul Management, Inc.; making certain findings and determinations regarding environmental impacts of the development.

Subitem-B: (R-2001-1633) ADOPTED AS RESOLUTION R-294999

Approving Centre City Development Permit No. 41-0227 for the Emporium Apartments Project with appropriate findings to support Council action.

Subitem-C: (R-2001-1656) ADOPTED AS RESOLUTION R-295000

Approving Variance 41-0227 for the Emporium Apartments Project located in the

Centre City Redevelopment Project area.

NOTE: See the Redevelopment Agency Agenda of June 12, 2001 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F045-062.)

MOTION BY ATKINS TO ADOPT. Second by Wear. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-nay,
Madaffer-yea, Inzunza-not present, Mayor Murphy-nay.

ITEM-S501: Ordinance relating to Year-End Budget Adjustments.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-2001-148) INTRODUCED AND ADOPTED AS O-18953 (NEW SERIES)

Amending Ordinance No. O-18827 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 2000-2001 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending Document No. OO-18827, as amended and adopted therein, by authorizing certain year-end budget adjustments including making additional appropriations and transfers that may be necessary to balance fund carryovers and expenditures/appropriations for Fiscal Year 2002.

Aud. Cert. 2101029.

NOTE: This ordinance requires two public hearings pursuant to the City Charter. The first public hearing was held on June 5, 2001, Item 204A. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B428-447.)

MOTION BY INZUNZA TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-S502: Two actions related to Declaring the Results of the June 5, 2001 Council District 6 Special Run-Off Election and Swearing-in of Donna Frye, Newly Elected Councilmember.

CITY CLERK'S RECOMMENDATION:

Subitem A: Adopt the resolution; Subitem B: Conduct the swearing-in of the newly elected Councilmember:

Subitem-A: (R-2001-1698) ADOPTED AS RESOLUTION R-294996

Adoption of a Resolution declaring the results of the Special Election held in Council District 6 on Tuesday, June 5, 2001.

Subitem-B: SWORN IN

City Clerk to swear in Donna Frye, the newly elected Councilmember for District 6.

CITY CLERK SUPPORTING INFORMATION

:

A Special Run-Off Election was held June 5, 2001 for the purpose of submitting candidates for the office of Councilmember for District Six (6) to the voters of said Council District. Item A: The results of this election have been certified by the Registrar of Voters and the City Clerk, and are now being certified to the City Council. Item B: City Clerk to swear in the newly elected Councilmember for District 6.

Abdelnour

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A002-245.)

MOTION BY MADAFFER TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-not present, Maienschein-yea, District 6-vacant, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-S503: Proclaiming June 12, 2001 as “Ms. Jane Potter Day.”

MAYOR MURPHY’S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1713 Cor. Copy) ADOPTED AS RESOLUTION R-294997

Proclaiming Tuesday, June 12, 2001 as “Ms. Jane Potter Day” in appreciation of her enormous contribution to the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B060-222.)

MOTION BY MADAFFER TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-DOCKET:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 5:45 p.m. in memory of:

Hyman Solomon as requested by Council Member Maienschein and
Bruce Hazard as requested by Council Member Madaffer.

FILE LOCATION:

MINUTES

COUNCIL ACTION:

(Tape location: G497-546).